

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE MYLAN N.V.
SECURITIES LITIGATION

Master File No. 2:20-cv-00955-NR

**SUPPLEMENTAL DECLARATION OF EVAN L. SEITE
IN FURTHER SUPPORT OF DEFENDANTS'
MOTION FOR JUDGMENT ON THE PLEADINGS**

I, Evan L. Seite, hereby declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney with the law firm of Wilson Sonsini Goodrich & Rosati, P.C., counsel for Defendants Mylan N.V. (“Mylan”), Heather Bresch, Rajiv Malik, and Kenneth Parks (collectively, “Defendants”) in the above-captioned action. I am admitted *pro hac vice* to practice before this Court. I respectfully submit this Supplemental Declaration based on my personal knowledge and for the purpose of providing the Court with true and correct copies of documents referenced in the Reply in Support of Defendants’ Motion for Judgment on the Pleadings.

2. Attached hereto as Exhibit 18 is a true and correct copy of an analyst report issued by J.P. Morgan Securities on February 27, 2019, titled “Thoughts on 2019 Guide – Unexpected Step Up in SG&A Impacting Results.” This analyst report is referenced in the Complaint (¶ 215).

3. Attached hereto as Exhibit 19 is a true and correct copy of an article published by *Bloomberg Law* on February 26, 2019 (updated February 27, 2019), titled “Mylan Drops Most in Three Years Despite Vow of Shift.” This article is referenced in the Complaint (¶ 215).

4. Attached hereto as Exhibit 20 is a true and correct copy of an analyst report issued by BMO Capital Markets on February 27, 2019, titled “Good 4Q18, but Much Higher Spend in 2019 to Drive Future Growth.” This analyst report is referenced in the Complaint (¶ 216). Certain portions of Exhibit 20 have been highlighted for the Court’s convenience.

5. Attached hereto as Exhibit 21 is a true and correct copy of an analyst report issued by SVB Leerink on February 27, 2019, titled “4Q18 Miss; 2019 Guidance Below Expectations Driven by Higher Costs.” This analyst report is referenced in the Complaint (¶ 216). Certain portions of Exhibit 21 have been highlighted for the Court’s convenience.

6. Attached hereto as Exhibit 22 is a true and correct copy of an analyst report issued by Cantor Fitzgerald on May 7, 2019, titled “Skepticism Remains On A Complex Story Post Mixed 1Q19, Lowering PT.” This analyst report is referenced in the Complaint (¶ 220). Certain portions of Exhibit 22 have been highlighted for the Court’s convenience.

7. Attached hereto as Exhibit 23 is a true and correct copy of an analyst report issued by RBC Capital Markets on May 7, 2019, titled “MYL 1Q is mixed with reaffirmed guidance, we expect focus on revenue miss; call at 10AM ET.” This analyst report is referenced in the Complaint (¶ 220). Certain portions of Exhibit 23 have been highlighted for the Court’s convenience.

8. Attached hereto as Exhibit 24 is a true and correct copy of an analyst report issued by SVB Leerink on May 7, 2019, titled “Low Quality 1Q19 EPS Beat; 2019 Guidance Reiterated.” This analyst report is referenced in the Complaint (¶ 220). Certain portions of Exhibit 24 have been highlighted for the Court’s convenience.

9. Attached hereto as Exhibit 25 is a true and correct copy of an analyst report issued by UBS Securities on May 7, 2019, titled “Generic volume will get some scrutiny.” This analyst

report is referenced in the Complaint (¶ 220). Certain portions of Exhibit 25 have been highlighted for the Court's convenience.

10. Attached hereto as Exhibit 26 is a true and correct copy of an analyst report issued by Zacks Investment Research on May 22, 2019, titled "Mylan N.V." This analyst report is referenced in the Complaint (¶ 220). Certain portions of Exhibit 26 have been highlighted for the Court's convenience.

11. Pursuant to Local Civil Rule 5.1(E), a table of contents for these exhibits follows this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2023.

/s/ Evan L. Seite
Evan L. Seite

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